

HDI 4.1-1
Appl. No. 10/627,066
Response to Office Action dated November 30, 2004
Amdt. dated February 24, 2005

REMARKS

Upon entry of this Amendment, Claims 1 to 16 and 27 are pending in the application. Claims 17 to 26 have been cancelled. Claims 1, 3, 4, 7 to 12 and 14 to 16 have been rejected. Claims 2, 5, 6 and 13 were indicated to be allowable if amended to overcome the objections of the Examiner. Claim 27 is new. No claims have been allowed.

Applicants confirm the election of Claims 1 to 16 in Group I for prosecution in this application. The election is without traverse.

Independent Claim 1 has been amended to further limit the base 14 as having an indentation 14D in the front surface. The claim further calls for the button 16 to move into the indentation 14D when the button 16 is depressed. Claim 2 has been modified to correspond to the amendment of Claim 1.

New independent Claim 27 is Claim 1 as originally filed and including the limitations of dependent Claim 8 and dependent Claim 13. Dependent Claim 13 was indicated to be allowable if rewritten to include the limitations of the base claim (Claim 1) and any intervening claims (Claim 8).

In the Office Action

(1) Claim 7 was objected to because of technical informalities. Claim 7 has been amended as suggested by the Examiner to depend from Claim 4 rather than Claim 2. Thus, this objection is believed to be overcome.

(2) Claims 1, 3, 8 to 10, 14 and 15 were rejected under 35 USC § 103 as being unpatentable over Kintzi et al. (U.S. Patent No. 6,813,782) in view of England (U.S. Patent No. 988,558) and Sawyer (U.S. Patent No. 3,925,822).

Kintzi describes a multi-point strap assembly which is fixedly attached to a racing suit and removably connected to the operator's helmet 12. A connector means allows for releasable attachment of the straps 24, 28 and 40 to the helmet 12.

England shows a fastener which when closed can not be blown loose or loosened by accident but which requires the exercise of intelligence to loosen it, and which at the same time may be loosened easily and instantly by one knowing how.

Sawyer shows a strap loop 13 secured to a helmet 11, adjacent an opening 12 in the helmet 11, by a tubular nut 14 and a screw 17.

Independent Claim 1 has been amended to further define the base 14 as having a front surface and a back surface with an indentation 14D in the front surface. The claim also calls for the button 16 to move into the indentation 14D when the button 16 is depressed.

None of the above cited references show or suggest using a base mounted adjacent the outer surface of the helmet and having an indentation, so that when the button is depressed, the button moves into the indentation in the base. In both the Kintzi et al. and Sawyer references, the fasteners appear to be mounted on the surface of the helmet. However, neither of the references show or suggest using a base having an indentation such that when the button is depressed the button moves into the indentation. In addition, the England reference does not show or suggest the use of a base having an indentation. In fact, one of the objects of the patent is to provide a fastener in which the parts are or may be practically flush with the surface holding it. To achieve this object, the post, cup and spring of the fastener may be countersunk into the surface of the curtain, strap, etc. Thus, it would not be obvious to modify the fastener of the England reference to mount a base on the outer surface of the curtain, since the fastener would not be flush or practically flush with the

outer surface of the curtain, strap, etc.

Applicants believe that amended independent Claim 1 is unobvious to one skilled in the art and patentable over Kintzi et al. in view of England and Sawyer. Further, dependent Claims 3, 8 to 10, 14 and 15, as depending from patentable base Claim 1, are unobvious to one skilled in the art and patentable over the above cited references. Reconsideration of this rejection is requested.

(3) Claims 4, 7, 11 and 12 were rejected under 35 USC § 103 as being unpatentable over Kintzi et al. (U.S. Patent No. 6,813,782) in view of England (U.S. Patent No. 988,558) and Sawyer (U.S. Patent No. 3,925,822) as applied to Claims 3 and 8 above and further in view of Takada (U.S. Patent No. 3,885,811).

Applicants believe that in view of the discussions in paragraph 2, with regard to independent Claim 1, dependent Claims 4, 7, 11 and 12, as depending from unobvious and patentable base Claim 1, are unobvious to one skilled in the art and patentable over the above cited references. Further, Takada does not show or suggest mounting a base having an indentation adjacent the outer surface of a helmet and mounting the button of the attachment device in the indentation so that when the button is depressed the button moves into the indentation.

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Reconsideration of this rejection is requested.

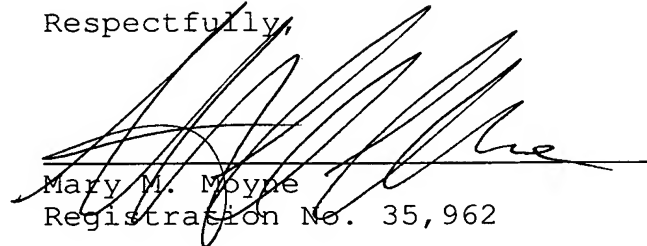
(4) Claim 16 was rejected under 35 USC § 103 as being unpatentable over Kintzi et al. (U.S. Patent No. 6,813,782) in view of England (U.S. Patent No. 988,558) and Sawyer (U.S. Patent No. 3,925,822) as applied to Claim 15 above and further in view of Puckett (U.S. Patent No. 3,928,896).

Applicants believe that in view of the discussions in paragraph 2, with regard to independent Claim 1, dependent Claim 16, as depending from unobvious and patentable base Claim 1, is unobvious to one skilled in the art and patentable over the above cited references. Furthermore, Puckett does not show or suggest mounting a base having an indentation adjacent the outer surface of a helmet and mounting the button of the attachment device in the indentation so that when the button is depressed the button moves into the indentation. Reconsideration of this rejection is requested.

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Applicants believe that Claims 1 to 16 and 27 are now in condition for allowance. Notice of Allowance is requested.

Respectfully,



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